

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
MODIFIED CHAPTER 13 PLAN

In re: Soukup, Brandon & Christine

Dated: July 2, 2010
Case No. 10-60459

In a joint case, debtor means debtors in this plan.

1. DEBTOR'S PAYMENTS TO TRUSTEE:

- As of the date of this plan, the debtor has paid the trustee _____.
- After the date of this plan, the debtor will pay the trustee **\$350.00** per month for 60 months, beginning within 30 days after the order for relief for a total of **\$21,000.00**
The minimum plan length is 36 or X 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- The debtor will also pay the trustee: _____
- The debtor will pay the trustee a total of \$21,000.00 [line 1(a) + line 1(b) + line 1(c)].**

2. PAYMENTS BY TRUSTEE — The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or **\$ 2,100.00**, [line 1(d) x .10].

3. ADEQUATE PROTECTION PAYMENTS [§ 1326(a)(1)(C)] – The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

<u>Creditor:</u>	<u>Monthly Payment:</u>	<u># of Months:</u>	<u>Total Payments:</u>
a.			
b.			
c. TOTAL			

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] – The debtor assumes the following executory contracts or unexpired leases. Automatic stay terminates regarding this contract when the lease expires. Cure provisions, if any, are set forth in ¶ 7.

<u>Creditor:</u>	<u>Description of Property:</u>
a. Ford Motor Credit	2008 Ford Fusion, lease expires 2/5/2011
b.	

5. CLAIMS NOT IN DEFAULT – Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any.

<u>Creditor:</u>	<u>Description of Claim</u>
a. Homecomings Financial	2 nd Mortgage on Home in Moorhead, MN
b.	
c.	

6. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5) and § 1322(e)] — The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. *All following entries are estimates.* The trustee will pay the actual amounts of default.

<u>Creditor:</u>	<u>Amount of Default</u>	<u>Monthly Payment</u>	<u>Beginning in Month #</u>	<u>Number of Payments</u>	<u>TOTAL PAYMENTS</u>
a. CitiMortgage	\$10,786.00	\$190.00	1	16	\$10,786.00
		\$315.00	17	24	
		\$186.00	40	1	
b.					
c.					
d. TOTAL:					\$10,786.00

7. **CLAIMS IN DEFAULT** [§ 1322 (b)(3) and (5) and § 1322(e)] — The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. *All following entries are estimates, except for interest rate.*

Creditor:	Amount of Default	Int. rate (if applicable)	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. N/A						
b.						
c.						
d. TOTAL:						

8. **OTHER SECURED CLAIMS; SECURED CLAIM AMOUNT IN PLAN CONTROLS** [§ 1325(a)(5)] — The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge. NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM.

Creditor:	Claim Amount	Secured Claim	Interest Rate	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. N/A							
b.							
c.							
d. TOTAL:							

9. **PRIORITY CLAIMS** — The trustee will pay in full all claims entitled to priority under § 507, including the following. *The amounts listed are estimates.* The trustee will pay the amounts actually allowed.

Creditor:	Estimated Claim:	Monthly Payment:	Beginning in Month #:	Number of Payments:	TOTAL:
a. Attorney Fees	\$2,000.00	\$125.00	1	16	\$2,000.00
b. Domestic Support					
c. Internal Revenue Service					
d. Minnesota Department of Revenue					
e. TOTAL:					\$2,000.00

10. **SEPARATE CLASSES OF UNSECURED CREDITORS** — In addition to the class of unsecured creditors specified in ¶ 11, there shall be separate classes of non-priority unsecured creditors described as follows:

_____. The trustee will pay the allowed claims of the following creditors. *All entries below are estimates.*

Creditor:	Interest Rate: (if any)	Claim Amount:	Monthly Payment:	Beginning in Month #:	Number of Payments:	TOTAL PAYMENTS:
a.						
b.						
c. TOTAL						

11. **TIMELY FILED UNSECURED CREDITORS** — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$ 6,114.00 [line 1(d) minus lines 2, 6(d), 7(d), 8(d), 9(f), and 10(c)].
- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 8 are \$_____.
 - The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 10) are \$94,717.30
 - Total estimated unsecured claims are \$ 94,717.30 [line 11(a) + line 11(b)].

12. **TARDILY-FILED UNSECURED CREDITORS** — All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 6, 7, 8, 9, 10, or 11 will be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

13. OTHER PROVISIONS — The trustee may distribute additional sums not expressly provided for herein at the trustee's discretion.

- a. Debtors pledge all disposable income for the duration of the plan. Tax refunds are considered disposable income for the purposes of this plan. The debtor(s) shall turn over to the Trustee the receipt of any state and federal tax refunds during this Chapter 13 case as additional plan payments, and will not spend, transfer, encumber or dissipate any portion of such refunds without the consent of the Chapter 13 Trustee.

14. SUMMARY OF PAYMENTS:

Trustee's Fee [Line 2]	\$2,100.00
Home Mortgage Defaults [Line 6(d)]	\$10,786.00
Claims in Default [Line 8(d)]	
Other Secured Claims [Line 8(d)]	
Priority Claims [Line 9(f)]	\$2,000.00
Separate Classes [Line 10(c)]	
Unsecured Creditors [Line 11]	\$ 6,114.00
TOTAL [must equal Line 1(d)]	\$21,000.00

Dated: 7/16/2010

/s/ ALAN SORENSEN
Alan Sorensen #0387536
Bulie Law Office
1790 32nd Ave. South Suite 2B
Fargo, ND 58104
(701) 298-8748

Signed /s/ BRANDON SOUKUP
DEBTOR

Signed /s/ CHRISTINE SOUKUP
DEBTOR (if joint case)

United States Bankruptcy Court
District of Minnesota

IN RE:

Case No. 10-60459

Soukup, Brandon & Soukup, Christine

Chapter 13

Debtor(s)

SIGNATURE DECLARATION

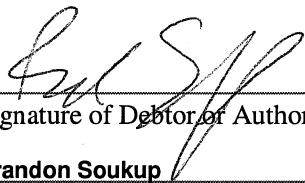
- ☐ PETITION, SCHEDULES & STATEMENTS
- ☐ CHAPTER 13 PLAN
- ☐ SCHEDULES & STATEMENTS ACCOMPANYING VERIFIED CONVERSION
- ☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS
- ☒ MODIFIED CHAPTER 13 PLAN
- ☐ OTHER (Please describe) _____

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: July 16, 2010

X

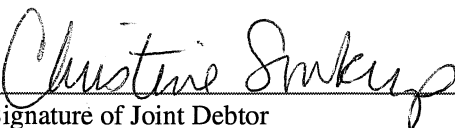


Signature of Debtor or Authorized Representative

Brandon Soukup

Printed Name of Debtor or Authorized Representative

X



Signature of Joint Debtor

Christine Soukup

Printed Name of Joint Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

IN RE: Soukup, Brandon & Christine

Debtor

Bankruptcy No: 10-60459
Chapter 13

NOTICE OF MOTION AND MOTION TO MODIFY CHAPTER 13 PLAN
PRE-CONFIRMATION

The debtor moves to modify the Chapter 13 plan in the above referenced case.

The confirmation hearing will take place on Confirmation hearing to be held on 7/20/2010 at 10:00 AM at **209 PO Bldg, 118 S Mill St, Fergus Falls, MN 56537**

Any response to this motion must be filed and delivered not later than 10:00 a.m. on July 19, 2010, which is 24 hours (1 business day) before the time set for the hearing, or filed and served by mail not later than July 15, 2010, which is three business days before the time set for the hearing. **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

Dated: July 19, 2010

/s/ ALAN SORENSEN

Attorney for Debtor
Bulie Law Office
1790 32ND Ave. S. Ste 2B
Fargo, ND 58103
Phone: (701) 298-8748

Document Page 6 of 8
United States Bankruptcy Court
District of Minnesota

IN RE:

Case No. 10-60459

Soukup, Brandon & Soukup, Christine

Chapter 13

Debtor(s)

CERTIFICATE OF MAILING

The undersigned hereby certifies that a true copy of the following document(s):

Second Amended Chapter 13 Plan

Notice & Motion to Modify Plan Pre-Confirmation

was(were) mailed to all persons in interest at the addresses set forth in the exhibit which is attached hereto, by first class mail, postage prepaid, on this 19th day of July, 2010.

/s/ Alan Sorensen

Alan Sorensen 0387536

Bulie Law Office

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ACS
PO Box 78844
Phoenix, AZ 85062-8844

Acs/gco Ed Loan Fund
501 Bleecker St
Utica, NY 13501

American Coraadius Interantional
PO Box 505
Linden, MI 48451-0505

Capital 1 Bank
Attn: C/O TSYS Debt Management
PO Box 5155
Norcross, GA 30091

Chase
Po Box 15298
Wilmington, DE 19850

Child Support Enforcement
PO Box 7190
Bismarck, ND 58507-7190

Citi Bank
PO Box 6241
Sioux Falls, SD 57117-6241

CitiFinancial
Po Box 499
Hanover, MD 21076

CitiMortgage Inc
Po Box 9438,dept 0251
Gaithersburg, MD 20898

Cont Credit
1110 SE Alder St
Portland, OR 97214

Enhanced Recovery Corporation
8014 Bayberry Rd
Jacksonville, FL 32256-7412

Erika Hewitt
3420 32nd St S # 303
Fargo, ND 58104

Ford Motor Credit
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Palatine, IL 60094-4380

GE Money
PO Box 981422
El Paso, TX 79998-1422

Gurstel Staloch & Chargo
401 N 3rd St Ste 390
Minneapolis, MN 55401-1300

Homecomings Financial
Attn: Bankruptcy Dept
1100 Virginia Dr
Fort Washington, PA 19034-3204

HSBC Retail Services
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Wilmington, DE 19850-5521

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Menomonee Falls, WI 53051

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